

RÉSUMÉ DIGEST

ACT 468 (HB 253)

2021 Regular Session

McKnight

Special School District, Generally

Existing law provides that the Special School District (SSD) includes the La. Special Schools (the La. School for the Deaf and the La. School for the Visually Impaired) and Special School Programs, which provide services to students in state-operated facilities.

Governance

Existing law provides that the SSD is an educational service agency. Prior law provided for it to be administered by the Dept. of Education and governed by the state superintendent of education. New law creates the district as an independent agency governed by a newly created board of directors with 12 members subject to Senate confirmation (one member of the State Bd. of Elementary and Secondary Education appointed by the state board president and 11 members appointed by the governor). Provides that of the 11 gubernatorial appointees, there shall be at least one resident of each region established by the office of public health, with no more than two members from any region. Provides for election of officers and the board's powers and duties with respect to district governance and prohibits board members from being employees of the SSD.

Requires gubernatorial appointments to be made as follows:

- (1) One member representing the Governor's Office of Disability Affairs.
- (2) One member who demonstrates competency in American Sign Language and possesses expertise in educating students who are deaf, hard of hearing, or deaf-blind. Provides exception.
- (3) One member who demonstrates competency in braille and who possesses expertise in educating students who are blind or visually impaired. Provides exception.
- (4) One member representing students receiving special education services at facilities operated by the Office of Juvenile Justice, selected from a list of three nominees submitted by the deputy secretary of the office.
- (5) One member representing students receiving special education services at facilities operated by the Dept. of Public Safety and Corrections, selected from a list of three nominees submitted by the secretary of the department.
- (6) One member representing students receiving special education services at facilities operated by the Dept. of Health, selected from a list of three nominees submitted by the secretary of the department.
- (7) One member representing students receiving special education services from La. Rehabilitation Services, selected from a list of three nominees submitted by the secretary of the La. Workforce Commission.
- (8) One member representing persons who are deaf or hard of hearing, selected from a list of six persons, two of whom shall be nominated by each of the following:
 - (a) The La. Commission for the Deaf.
 - (b) The La. Assoc. of the Deaf.
 - (c) Deaf Focus.
- (9) One member representing persons who are visually impaired, selected from a list of six persons, two of whom shall be nominated by each of the following:
 - (a) The National Federation of the Blind of La.

- (b) The La. Assoc. for the Blind.
- (c) The Lighthouse for the Blind.
- (10) One member with expertise in deaf-blindness selected from a list of three nominees submitted by the Helen Keller National Center for Deaf-Blind Youths and Adults, South Central Region.
- (11) One alumnus of a La. Special School.

Administration

Existing law provides for the SSD to be under the administration of a district superintendent whose appointment is subject to Senate confirmation. Prior law gave the state superintendent the authority to appoint the district superintendent as well as to set his salary and oversee his duties and functions. New law transfers such authorities from the state superintendent to the board of directors.

Funding

New law requires the board to adopt an annual budget to adequately fund the district and provides that the district is a public school to be included in the minimum foundation program (MFP) formula. Provides that funding shall be provided both through the MFP via fund allocation by the state Dept. of Education and through direct appropriations to the district.

Enrollment

Existing law provides for enrollment procedures. Prior law required the Special Schools to establish an annual enrollment deadline for admission and provided that after a school's deadline, any other children with hearing, visual, or orthopedic impairments could enroll if the school determined it had sufficient resources. New law requires the Schools for the Deaf and Visually Impaired, upon parental request, to enroll students with low incidence disabilities and students eligible under the Individuals with Disabilities Education Act requiring special education services upon their admission into state facilities in which the SSD provides special education services.

Transition

New law provides for the transition to begin on July 1, 2021, for the governor to appoint the board members by July 15, 2021, and for the board to resume responsibility for providing for the education of students on Aug. 1, 2021. New law provides that the district superintendent serving upon the effective date of new law may continue to serve unless removed by the board.

Effective July 1, 2021.

(Amends R.S. 17:43(A) and (B)(1), 1945(A) and (B)(2), and 1946(A) and R.S. 36:642(C)(1), 643(A), and 648.1; Adds R.S. 17:1945.1 and 1945.2 and R.S. 36:651(D)(11))